

**ACTON PLANNING BOARD****Minutes of Meeting  
January 22, 2008  
Acton Memorial Library**

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Christopher Schaffner (Vice Chairman), Mr. Edmund Starzec (Clerk), Ms. Ruth Martin, Mr. Michael Densen, Mr. Bruce Reichlen, Mr. Alan Mertz, Associates Mr. Roland Bourdon III, and Mr. Ryan Bettez attended. Also present were Planning Director, Roland Bartl and Secretary, Ms. Kim DelNigro.

Mr. Niemyski called the meeting to order at 7:30 PM.

**I. Citizens Concerns**

Mr. Jim Snyder-Grant, 18 Half Moon Hill, stated the draft decision on the Residences at Quail Ridge did not mention the conservation easement of the access trail from Hazelnut Street to the Nagog Hill Conservation land. Mr. Snyder- Grant questioned how would the easement become accepted at Annual Town Meeting and who would be responsible to build it. Mr. Snyder- Grant is also worried of town access vehicles and the public access.

Mr. Robert Luz, of Acorn Park Condominium Association, President, 2 Hazelnut Drive, stated he is concerned of the entire project of the Residence of Quail Ridge Special Permit. Mr. Luz stated he is concerned because he is not able to state his concern, since the public hearing has been closed.

**II. Consent Agenda**

Item A - Minutes of 1/08/08, Item B – Thunder Way – vote on partial bond release, Item C – Conquest Way – bond release were approved by unanimous vote.

**III. Reports**

CPC: Mr. Starzec reported two more proposals will be heard at the next meeting and then the CPC will be moving forward with decisions on recommendations for Annual Town Meeting.

Wastewater: Mr. Schaffner stated the committee conducted a public outreach and created a subcommittee to try to have more citizens get together to help and understand the functions of wastewater and to receive funding.

WCF Study Committee: Mr. Reichlen reported the committee conducted a conference call with Atty. Tom Schnorr at last meeting and engaged Mr. David Maxson, Broadcast Signal Lab, for his technical review. Mr. Reichlen stated the committee will be meeting on February 6, 2008 to complete the draft bylaw for the public hearing on February 12, 2007.

**IV. Decision – Residence at Quail Ridge SRSP**

Mr. Bartl noted that the applicant has offered an extension of the decision deadline to February 14, which allows the Board to postpone its final decision to the meeting on February 12.

The Board members reviewed staff's second draft decision and discussed and expressed their concerns. Board members acknowledged that this is a hard decision with the question of access being the most difficult to resolve. Board discussion points:

- The Board's approval of Acorn Park many years earlier created future public street stubs to the project site, a fact that is known to all through record plans and deeds.
- The most preferred option for secondary access, if attainable, would be to Great Road through the Great Road Condominium property.

- The developer must try to pursue the second access through the Great Road Condominiums in good faith.
- In the absence of Great Road Condo access, it is hard to accept the notion of only one street access given the size of the proposed project.
- Connecting to Acorn Park will impact that neighborhood and the change would be felt there.
- More traffic through Acorn Park would be a safety hazard.
- The burden of traffic impacts should be on the developer and the new development, not on the residents in Acorn Park.
- Single street access via existing Skyline Drive sufficient with emergency access only through Acorn Park.
- Concerns of traffic congestion, back-ups, and accident potential at Skyline Drive and Great Road if Skyline Drive is the only street access.
- The risk of a single street becoming blocked.
- Concern over emergency access maintenance, snow plowing, and quick availability in case of need.
- What is the Town's liability if there is an emergency and the emergency access fails?
- Can the Board restrict access to existing public ways?
- The draft decision would allow for the further evaluation of the access alternatives after more evidence gathering and public hearings.

The Board voted to accept the decision deadline extension to the next meeting.

Mr. Starzec moved to amend the draft decision to outline three distinct steps of evidence submission and public hearings:

1. Feasibility of street access through the Great Road Condominiums. If not attainable,
2. Feasibility and risks of single access via Skyline Drive and gated emergency access only to Acorn Park. If not safe or suitable as then determined by the Board,
3. Design and management of full secondary street access through Acorn Park.

Mr. Niemyski seconded. Mr. Starzec, Mr. Denson, Mr. Mertz, and Mr. Bourdon in favor. Motion carried 4-3.

The Board instructed asked staff to work closely with Town Counsel on the final draft decision for discussion at next meeting and to ask Town Counsel for opinion on:

- What is the Town's liability if there is an emergency and the emergency access fails?
- Can the Board restrict access to existing public ways?

## **V. Minutes of 10/23/07 - Review**

Staff reviewed the minutes from the Planning Board's meeting on 10/23/07.

Mr. Schaffner moved to amend the 10/23/07 minutes to include the memo with the minutes, Mr. Starzec 2nd, all in favor.

Mr. Reichlen moved to close the meeting, Mr. Starzec 2<sup>nd</sup>; all voted in favor.

The meeting adjourned at 10:00 PM.